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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,604	11/21/2001	Nagendra Nagarajayya	SUN-P6303	7602

7590

06/03/2005

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,604

Applicant(s)

NAGENDRA NAGARAJAYA

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,13-19 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,13-19 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-3, 5-11, 13-19, 21-25 are presented for the examination. Claims 4, 12, 20 are cancelled.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-3, 5-8 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.
3. Claim 1 is directed to method steps, which can be practiced mentally in conjunction with pen and paper, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. Moreover, each of the claimed steps, inter alia, associating, intercepting, redirecting, can be practiced mentally in conjunctions with pen and paper. The claimed steps do not define a machine or computer implemented process (see MPEP 21061. Therefore, the claimed invention is directed to non-statutory subject matter. (The examiner suggests applicant to change "method" to "computer implemented method" in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 3, 5-11, 13-19, 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dukack et al (US. Patent 6,609,159 b1), in view of Huras et al (US Patent 6,125,401).

3. As to claim 1, Dukack teaches the invention substantially as claimed including: data (information, col 3, ln 35-42), data between processes in a computer-based system (col 6, ln 35-40/ col 8, ln 37-42), one or more symbols (OS function 144, col 8, ln 55-62), the first library (the library of the OS 134, col 8, ln 52-55), process calling for one or more symbols in a first library (col 8, ln 58-62), associating each process with a second library (col 8, ln 36-37), a second library (the interposed library , col 8, ln 36-37/ ln 60-65), one or more symbols of the second library(the interposed library function, col 8, ln 52-65), interprocess communication mechanism(interprocess communication links, col 8, ln 40-46), a door interprocess communication (filer descriptor, col 3, ln 62-64/ col 10, ln 33-34/ln 53-55), redirecting said call to a corresponding symbol in said second library(col 8, ln 63-65).

4. Dukack does not explicit teach second library enables each process to communicate a synchronization signal. However, Huras teaches second library enables each process to communicate a synchronization signal(the server library means for managing the interprocess communication for said client process, said server library means including means for initializing said semaphore. Server listener process 310 also establishes a set of semaphores for controlling

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and synchronizing access to the shared memory segment 204, col 3, ln 42-46 and col 5, ln 36-38/ by executing a wait function on the synch semaphore 259, col 7, ln 15-22).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Dukack to Huras because Huras's second library enables each process to communicate a synchronization signal would improve the integrity of Dukack's system by detecting the termination of client process by the service provider without requiring periodic polling of the client processes.

6. **As to claim 2**, Dukack teaches one or more symbols associated with a socket interprocess communication mechanism (col 9, ln 24-30).

7. **As to claim 3**, Dukack teaches dynamically linking each process with said second library (col 8, ln 52-54).

As to claim 5, Huras teaches second library enables each process to transfer data through said door based on said synchronization signal(col 3, ln 42-46 and col 5, ln 36-38).

8. **As to claim 6**, Dukack teaches second library comprises one or more server side symbols and one or more client side symbols (col 8, ln 55-58).

9. **As to claim 7**, Dukack teaches server side symbols further comprise: a bind symbol, an accept symbol, a write symbol, and a close symbol (col 8, ln 55-58/FIG. 10).

10. **As to claim 8**, Dukack teaches client-side symbols further comprise: a connect symbol, a read symbol, a write symbol, a close symbol, and a thread-create sysmbol (col 8, ln 60-65/ col 24, ln 12-25/ Fig. 10).

11. **As to claims 9-11, 13, 14, 15, 16**, they are apparatus claims of claims 1-3, 5, 7, 8; therefore, they are rejected for the same reasons as claims 1-3, 5,7,8 above.

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12. As to claim 17, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In addition, Dukack teaches a plurality of processes (communication loads between multiple back end and server processes, col 3, ln 50-53), an interposer (col 3, ln 42-46).

13. As to claims 18, 19, 21-25, they are apparatus claims of claims 2, 3, 5, 6-8, 1, 13; therefore, they are rejected for the same reasons as claims 2, 3, 5, 6-8, 1, 13 above.


20.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).


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